IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.7131 OF 2004

Shri Satish Kumar Chawla, .. Petitioner

Vs

State of Maharashtra & Ors. .. Respondents

Ms Bobby Malhotra, for the petitioner.

Mr C.R.Sonawane, for the respondents.

CORAM : D.B.BHOSALE,J.

DATE : 17th September, 2004.

PC:

1. Heard the learned counsel for the parties.

2. The petitioner has impugned the show cause notice dated 17.7.2004 issued by the Collector, Pune calling upon the petitioner to show cause as to why FL-3 Licence No.863 be not cancelled. While issuing the said notice, the licence was suspended with immediate effect. This Court, while issuing notice before admission on 26.8.2004, did not grant the interim relief as prayed for in the writ petition and directed the petition to be heard with W.P.(Stamp) No.21640 of 2004. It is clear that since 17.7.2004, the order of suspension of licence is in operation till today.

3. After having heard the learned counsel for the

parties, in my opinion, the appropriate course would be to direct the petitioner to contest the show cause notice. Hence the following order :

(i) The petitioner to appear before the Collector, Pune on 28.9.2004 and file his reply to the show cause notice, failing which it would be open for the Collector, Pune to proceed with the matter without reply.

(ii) The Collector, Pune to complete the hearing and dispose of the proceedings on merits in accordance with law as expeditiously as possible and preferably within a period of four weeks from the date of receipt of this order.

(iii) If for any reason, the Collector is not in a position to dispose of the proceedings within the time aforetated, it is open for the petitioner to apply for interim relief and in that case the Collector shall pass appropriate orders in the application seeking interim relief within a week from the date of filing of such application. If the Collector does not dispose of the proceedings within four weeks and passes order in the application for interim order, the time to dispose of the proceedings shall stand extended for further period of four weeks.

(iv) The writ petition is disposed of.

. While passing this order, I shall not be understood

to have examined merits of the case.

(D.B.BHOSALE, J.)